

PART II - CODE OF ORDINANCES  
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE VIII. - SIGNS

**ARTICLE VIII. - SIGNS <sup>[15]</sup>**

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**Sec. 6-258. - Intent.**

- (a) The intent of this article is to regulate the location, size, construction, repair, maintenance, and manner of display of signs and to minimize visual clutter in order to protect the public health, safety, and welfare. The requirements contained herein are intended to be content neutral.
- (b) These objectives are accomplished by establishing the minimum number of regulations necessary concerning the size, placement, construction, illumination, and other aspects of signs in the city so as to:
  - (1) recognize that the proliferation of signs is unduly distracting to motorists and nonmotorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.
  - (2) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
  - (3) Reduce visual pollution and physical obstructions caused by a proliferation of signs which would diminish the city's image, property values and quality of life.
  - (4) Recognize that the principal intent of signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment or product on the premises.
  - (5) Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
  - (6) Prevent placement of signs which will conceal or obscure signs of adjacent uses.
  - (7) Protect the public right to receive messages, including religious, political, economic, social, philosophical and other types of information protected by the first amendment of the U.S. Constitution.

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- (8) Prevent billboard and off-premise signs from conflicting with other allowed land uses.
- (9) Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
- (10) Minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of visibility.
- (11) Promote public convenience.
- (12) Enhance the aesthetic appearance of the city.
- (c) Where more restrictive in respect to location, use, size, and height of signs and outdoor display structures, the limitations of the city zoning ordinance, affecting required light and ventilation requirements and use of land shall take precedence over the restrictions of this article.

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-259. - Approved rules.**

In the absence of approved rules governing details of construction, the cds director shall establish requirements to conform with this article unless otherwise specified.

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-260. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned sign* means a sign that no longer advertises a valid business, product, service, activity, owner or lessor or is vacated for 60 days or a sign support structure with no signage for more than six months where the owner or lessor has failed to notify in writing the CDS director that such lack of sign is not a voluntary act to abandon such sign support structure.

*Alter* means the addition or change to, refacing of, or removal of any part of any sign or the whole sign.

*Awning/canopy sign* means a retractable or fixed shelter constructed of materials on a supporting framework which projects from the exterior wall of a building.

*Banner sign* means a sign made of non-rigid material with or without an enclosing structural framework.

*Billboard or off-premises sign* means a sign which contains a message unrelated to a business, activity, or service conducted on the premises, or to a commodity not sold or offered upon the premises where such sign is located.

*Changeable message sign, electronic* means a sign that provides a changeable display created by electronic means such as lights, television, liquid crystal display or LED.

*Changeable message sign, manual* means a reader board attached to a sign or a sign whose copy is changed manually.

*Construction sign* means a temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and

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financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

*Device signs* means permanent signs on vending machines or other containers indicating only the contents of such devices.

*Directional sign* means any sign that is designed and erected for the purpose of providing direction and/or orientation for vehicular or pedestrian traffic.

*Emergency vehicle simulation signs* means signs that simulate or could in any way be confused with the lighting of emergency vehicles or traffic signals.

*Employment sign* means "help wanted" signs soliciting employees for the place of business where posted.

*Enclosed sign* means any sign that is located completely within a building and is not visible from the outside. If the sign is visible from outside the building and is within five feet of a window, it is a window sign.

*Festoon sign* means a sign which includes, but is not limited to, pennants, streamers, ribbons, pinwheels or similar material which is hung or strung and which is not an integral, physical part of the building or structure.

*Flag* means an emblem usually consisting of a piece of cloth with the insignia of any nation, state, city, community organization, educational institution, noncommercial enterprise, college or university. Commercial flags include brand name, product name, trademark, trade name, logo, or abbreviation related to a product, company, profession, business, or any other commercial message.

*Flashing, animated, or moving sign* means a sign that has intermittently reflecting lights, or has moving illumination such as flashing, scintillating, varying intensity, or a sign that has any visible portions in motion, or is designed to give the appearance of movement, either constantly or at intervals, whether caused by artificial or natural sources, with the exception of time/temperature signs.

*Ground sign* means a three-dimensional, self-supporting, permanent, base-mounted free-standing sign which does not allow visual clearance underneath.

*Government sign* means a temporary or permanent sign erected by the city, Oakland County, or the state or federal government including signs as necessary in conjunction with the improvement of public infrastructure or vehicular or pedestrian traffic direction or information.

*High intensity sign* means a sign using high intensity lights.

*Illegal sign* means any sign unlawfully installed, erected, or maintained.

*Incidental sign* means a sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include signs indicating the hours of business, service club identification signs, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.

*Inflatable sign* means a sign composed of an inflatable, flexible material tethered to a building or the ground.

*Integral sign* means a memorial sign or commemorative tablet which contains names of buildings, dates of erection, and monumental citations installed as a permanent part of a building or structure.

*Marquee sign* means a sign attached to or hung from a structure, or supported by a building, that projects over an entrance and/or public right-of-way, but does not include canopy or awning signs.

*Menu board sign* means a sign which displays a menu, products, or services available and is intended to service patrons.

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*Mural* means a graphic displayed on the exterior of a building for the purposes of decoration or artistic expression that does not contain any brand name, product name, trademark, trade name, logo, or abbreviation related to a product, company, profession, business, or any other commercial message.

*Nameplate sign* means a non-electric sign stating the name and/or address of a person, business entity or firm located on the site.

*Non-conforming sign* means any sign which was lawfully erected and maintained prior to the effective date of this article and any amendments thereto, and which fails to conform to any applicable regulations and restrictions of this article.

*Pole sign* means a three-dimensional, self-supported, permanent, base-mounted, free-standing sign which allows visual clearance underneath.

*Political sign.* Refer to [section 6-261](#).

*Portable sign* means a freestanding sign designed to be moved from place to place including, but not limited to, searchlights and signs with wheels; but excludes political signs, real estate signs, construction signs, and government signs.

*Premises* means a lot or group of lots with one or more buildings, which is under the same ownership or control, and is not divided by a public street, alley, or right-of-way. Multiple tenants of a single premise may share common vehicular access-ways and off-street parking. Examples of premises include, but are not limited to, a shopping center, a multiple-family dwelling, industrial park, and an educational or medical campus.

*Projecting wall sign/blade sign* means a sign which projects perpendicularly or at an angle from a building. A projecting wall sign does not include canopy, awning, roof, or marquee signs.

*Public property* means any land within the city that is owned by a governmental entity.

*Public right-of-way* means the area designated for public use by easement, dedication, or otherwise, as shown in the plat records of the city or recorded with the county register of deeds.

*Real estate open house sign* means any temporary sign which advertises and directs the public to an open house for a building which is available for sale or lease, with the event held on a specific day.

*Real estate sign* means a temporary sign advertising that the property is for sale, rent, or lease.

*Road furniture sign* means a sign which displays a message on road furniture, such as a bench, pedestrian lights, bus shelters and decorative trash receptacles.

*Roof sign* means a sign which is erected, constructed, or maintained on or above the roof or parapet of a building, or any portion thereof.

*Sandwich board* means any sign located outside of a business which is not secured or attached to the ground, any building or structure, or surface upon which it is located for the purpose of providing the public with information about the business (e.g. products and services offered, scheduled events, daily specials, etc.) on the premises where it is located. Acceptable sign materials include: steel, iron, chalkboard, metal or wood. Plastic signs with interchangeable letters are not permitted as sandwich board signs. Sandwich board signs do not include signs carried by or attached to a person.

*Sign* means any visible device which displays either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations.

*Sign setback* means the distance, where required, that a sign must be located from property lines or public rights-of-way. Such distance will be measured from the portion of the sign structure nearest to the specified line. For purposes of these measurements, the property lines and public right-of-way lines extend vertically and perpendicularly from the ground to infinity.

*Sign structure* means any structure supporting a sign.

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*Temporary sign* means any sign, regardless of size and materials that is not permitted for long term use. Examples of temporary signs include, but are not limited to, banners, construction signs, political/expressive signs, real estate/open house signs, and signs which announce special events that occur for a limited period of time.

*Traffic control sign* means private traffic control and parking signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.

*Tree/utility pole sign* means signs attached to, supported by, or otherwise placed upon a utility pole or tree.

*Vehicle sign* means a sign painted on or attached to a vehicle, including trailers, which is parked in such a manner as to attract attention or advertise a business, product, service, or activity. Commercially licensed vehicles which are generally used daily off-site are not included.

*Wall sign* means a sign attached to, painted or placed on the exterior wall or surface of any building or structure.

*Window sign* means a temporary or permanent sign oriented to the public right-of-way and placed on a window, or inside a building in such a manner as to be oriented toward the public right-of-way.

(Ord. No. 1050, Pt. I, 6-23-08; Ord. No. 1077, Pt. I, 7-27-09)

**Sec. 6-261. - Political and expressive signs.**

- (a) For the purposes of this section, "political sign" shall mean any temporary sign, not otherwise regulated by this chapter, placed or displayed for the purpose of influencing the nomination or election of a candidate, or for the purpose of influencing the passage or defeat of a ballot question. An "expressive sign" shall mean any temporary sign, not meeting the definition of a "political sign" placed or displayed for the purpose of expressing an opinion about any societal, cultural or political issue.
- (b) The purpose of this section is to regulate and control the proliferation of temporary political and expressive signs which may, if not regulated, create a visual blight and detract from the natural beauty of the municipality.
- (c) It shall be unlawful to place or display a political sign on any property owned or under control of the city, the County of Oakland, the state, the United States of America, or any school district, any utility, or within any public right-of-way easement located on private property, unless otherwise permitted by law.
- (d) The specifications for political and expressive signs shall be consistent with those specifications required for temporary signs as set forth in this Code.
- (e) It shall be rebuttable presumption that any political sign placed or displayed in violation of this section was placed or displayed by the candidate, and the candidate committee, committee, or ballot question committee, whose name is displayed on the political sign. For the purposes of this section, a "candidate," "candidate committee," "committee," and "ballot question committee" shall be defined in the Michigan Campaign Finance Act, 1976 P.A. 388 (MCLA 169.201 et seq.), as from time to time amended.
- (f) It shall be unlawful to display or place a political sign which is in violation of the requirements of the Michigan Campaign Finance Act, 1976 P.A. 388 (MCLA 169.201 et seq.), as from time to time amended.
- (g) If the building inspector, or their designee, or any police officer shall find that any political or expressive sign is installed, erected or maintained in violation of the provisions of this section and if it

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shall be located on any property owned or under the control of the city, the sign shall be immediately removed by the inspector or police officer.

- (h) Any violation of this section shall be a civil infraction with the violator being subject to a fine of \$25.00 for the first violation and \$50.00 for each and every violation thereafter which might occur within one year after a prior violation of this subsection has occurred.

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-262. - Exempt signs.**

The following signs do not require a sign permit provided they are not located in the public right-of-way, are not in conflict with the visibility requirements of the zoning ordinance and are in compliance with table 1. Exempt signs shall not relieve the owner of the sign from responsibility for erection and maintenance in a safe manner.

- (1) Device signs;
- (2) Employment signs;
- (3) Enclosed signs;
- (4) Expressive signs;
- (5) Flags. Any American flag displayed shall be done so in compliance with Public Law 94-344 and shall never be used for advertising purposes in any manner whatsoever. Commercial flags shall be limited to one per property;
- (6) Government signs;
- (7) Holiday signs and decorations. Holiday signs and decorations may be erected without a permit, but subject to the provision that they be removed within two weeks after the passage of the holiday;
- (8) Incidental signs;
- (9) Integral signs;
- (10) Nameplate signs;
- (11) Political signs;
- (12) Real estate signs;
- (13) Real estate open house signs;
- (14) Time and temperature signs;
- (15) Traffic control signs.

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-263. - Prohibited signs.**

Prohibited signs shall include, but not be limited to the following:

- (1) Any sign which is not specifically permitted by, or does not conform to the provisions of this article;
- (2) Abandoned signs;

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- (3) Billboard or off-premises signs;
- (4) Emergency vehicle simulation signs;
- (5) Exterior string lights. Except single color light strings hung no lower than eight feet six inches above adjacent grade may be used in outdoor dining areas, sidewalk cafes and public areas in the DDA, and holiday lights specifically related to national holidays.
- (6) Festoon signs;
- (7) Flashing, animated or moving signs;
- (8) High intensity signs;
- (9) Home occupation signs;
- (10) Illegal signs;
- (11) Inflatable signs;
- (12) Pole signs;
- (13) Portable signs, except where expressly permitted by these regulations.
- (14) Road furniture signs;
- (15) Roof signs;
- (16) Signs that confuse traffic. Signs that make use of the words "Stop", "Look", "Go", "Slow", "Caution", or "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.
- (17) Signs that obstruct access. Signs that prevent free and unobstructed access to any door, window, fire escape, or required exit;
- (18) Signs that obstruct vision. Signs that obstruct any approved traffic control device, road sign, or signal from view; interfere with site distance necessary for traffic safety; or distract from visibility of existing traffic signs or devices;
- (19) Structurally unsafe signs. Signs which are deemed structurally unsafe, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, abandonment, or by reason of blocking views; are capable of causing electric shock to a person who comes in contact with it; are unlawfully installed, erected, or maintained; are not kept in good repair, such that they have broken parts, missing letters, or non-operational lights or do not meet applicable requirements of the State of Michigan Building Code;
- (20) Tree/utility pole signs;
- (21) Vehicle Signs, where the vehicle is parked longer than 12 hours.

(Ord. No. 1050, Pt. I, 6-23-08; Ord. No. 1066, Pt. I, 1-12-09; Ord. No. 1077, Pt. I, 7-27-09)

**Sec. 6-264. - General standards.**

Except as otherwise provided in this article, it shall be unlawful for any person to erect, alter, relocate, or maintain within the city any sign without first obtaining a permit from the building inspector.

- (1) *Sign display area.* No sign shall exceed the maximum sign display area allowed. The sign display area is to be expressed in square feet, computed to the nearest tenth of a square foot, and shall be computed as follows:

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- a. *Single-face signs.* Sign area shall be measured as the square footage of the sign face and any frame or other material or color forming an integral part of the display or used to differentiate it from the background against which it is placed.
  - b. *Double-face signs.* The area of a double-faced freestanding sign shall be computed using only one face of the sign provided that:
    - 1. The outline and dimensions of both faces are identical, and
    - 2. The faces are back to back so that only one face is visible at any given time.
  - c. *Wall signs.* When a sign consists solely of lettering or other sign elements printed, painted or mounted on a wall of a building without any distinguishing border, panel or background, the calculation for sign area shall be measured by enclosing the outermost edges of the sign elements within a parallelogram or rectangle. If the sign includes a border, panel or background, the calculation for sign area shall be measured by the enclosing element.
- (2) *Sign height.*
- a. The permitted height of all signs supported by the ground shall be measured from the level of the ground, finished grade surface, adjacent to the sign.
  - b. The permitted height of signs shall not be measured from an area of the ground that has been built-up or constructed in a manner that would have the effect of allowing a higher sign height than permitted by these regulations (e.g. the height of signs erected on a berm shall be measured from the lower grade adjacent to the berm).
- (3) *Location.*
- a. *Public right-of-way.* Unless otherwise provided in these regulations, no sign, except those established by the city, Oakland County, state or federal governments shall be located in, project or overhang into any public right-of-way or dedicated easement.
  - b. *Setbacks.* All signs, unless otherwise specified, shall conform to the provisions of table 1.
  - c. *Visibility.* All signs must comply with the visibility requirements of the city zoning ordinance.
- (4) *Illumination.*
- a. *General requirements.* Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign (i.e. front lit signs) or internal to it (i.e. back-lit signs).
  - b. *Non-glare, shielded lighting.* Use of glaring undiffused lights or bulbs shall be prohibited. Lights shall be shaded and/or shielded downward so as not to project onto adjoining properties or thoroughfares.
  - c. *Intensity.* Lighting intensities for illuminated signs shall not exceed ten foot-candles, measured at four feet perpendicular to any surface.
  - d. *Bare bulb illumination.* Illumination by bare bulbs or flames is prohibited.
  - e. *Wiring.* Underground wiring shall be required for all illuminated signs not attached to a building. All wiring for signs attached to a building shall be concealed (i.e., exposed conduit or wiring is prohibited).
- (5) *Design and construction.*
- a. *Materials.* Sign materials shall be designed to complement the original construction materials and architectural style of the building façade to promote an overall unified and aesthetic effect. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose. Wood or approved plastics or other materials of

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combustible characteristics similar to wood may be used for moldings, cappings, nailing blocks, letters and latticing, and for other purely ornamental features.

- b. *Fastenings.* All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion by the owner. No sign may be placed upon a tree or utility pole, except signs of a unit of government or utility.
- c. *Support location.* No pole, cable or support of any nature shall be placed on any publicly owned property, road right-of-way, or proposed road right-of-way.
- d. *Sign safety.*
  - 1. All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials as to comply with all requirements of the building code.
  - 2. Any sign, including cables, guys, etc. shall have a minimum clearance of six feet from any electrical conductor, electric light pole, road lamp, traffic light, or other public utility pole or standard.
  - 3. Signs with electrical connections shall comply with electrical code requirements, including the application, inspection, and approval of an electrical permit.

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-265. - Non-conforming signs.**

- (a) *Continuance.* Any sign lawfully existing at the time of the adoption of this article that does not fully comply with all provisions shall be considered a legal nonconforming sign and may be permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare of the community except as herein provided.
- (b) *Restrictions.* A nonconforming sign shall not be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provisions of this section. For the purpose of this article only, the term "altered" or "reconstructed" shall not include any of the following:
  - (1) Normal maintenance.
  - (2) Changing of surface sign space to a lesser or equal area.
  - (3) Ornamental molding, frames, trellises, or ornamental features.
  - (4) Changing backgrounds, letters, figures, or characters, or other embellishments.
  - (5) Diminishing the size or dimension or the copy of the sign.
- (c) *Requirements.* Nonconforming signs shall comply with the following requirements:
  - (1) *Repairs and maintenance.* Normal maintenance shall be allowed, provided that any nonconforming sign that is destroyed by any means to an extent greater than 50 percent of the sign's pre-existing fair market value, exclusive of the foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or repair or replacement of electrical wiring or electrical devices.
  - (2) *Substitution.* No nonconforming sign shall be replaced with another nonconforming sign.
  - (3) *Removal.* Any non-conforming sign must be removed when the current business, service, or activity it references is discontinued for a period of 60 days. When a non-conforming sign, or portion thereof, is removed, it shall be replaced only with a sign that conforms to all

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requirements of this article. A nonconforming sign may be removed for maintenance or repair upon receipt of a permit from the building department conditional upon the sign being reinstalled within 60 days of removal, otherwise the non-conforming sign use shall be deemed abandoned.

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-266. - Inspection and maintenance.**

- (a) *Sign inspection.*
  - (1) *Responsibility for compliance.* The owner of any property on which a sign is located is declared to be responsible for the permit, erection, inspection, safety, condition, and removal of a sign and the area in the vicinity thereof.
  - (2) *Inspection of new signs.* All signs for which a permit has been issued shall be inspected by the building inspector when erected. Approval shall be granted only if the sign has been constructed in compliance with the approved plans and applicable requirements of city ordinances and codes.
  - (3) *Inspection before enclosure.* In cases where fastenings or anchorages are to be eventually bricked in or otherwise enclosed, the sign erector shall advise the building inspector when such fastenings are to be installed so that inspection may be completed before enclosure.
  - (4) *Inspection of existing signs.* The building Inspector may, at such times as deemed necessary, inspect any sign allowed under this section, and if upon inspection a sign is found to be unsafe or in a condition that does not comply with all the provisions of this section, the building inspector shall give notice of such condition to the owner for such sign and cause to be made the necessary repairs or alterations, or remove the sign.
- (b) *Sign maintenance.* All signs for which a permit is required and all supports therefore shall:
  - (1) Be kept in compliance with the plans and specifications filed and approved for issuance of the construction permit.
  - (2) Be kept and maintained in a safe condition, consistent with adopted building, electrical and mechanical codes.
  - (3) Not have peeling paint or paper, sun fading, staining, rust, or other conditions which impair the legibility or intelligibility of the sign.
  - (4) At all times conform to all the provisions of this article.
- (c) *Correction of defects.* If the building inspector finds that any sign is unsafe, insecure, improperly constructed, or poorly maintained, the owner of the property shall make the sign safe and secure by completing any necessary reconstruction or repairs, or entirely remove the sign in accordance with the timetable established by the building inspector. Existing signs determined to be unsafe and an immediate hazard to health or safety shall be removed or repaired within 12 hours of notification.
- (d) *Removal of abandoned signs.* The owner of the property shall be responsible for removal of all signs and sign faces used in conjunction with a business upon vacation of a commercial or industrial establishment. Where a sign structure or frame, with the exception of a sign prohibited by this article, can be reused by a new occupant in a leased or rented building within six months, the building owner shall not be required to remove the sign structure and frame in the interim periods when the building is not occupied, however, the building owner shall reface the sign with an opaque, blank panel to cover any exposed lights, structures or equipment.
- (e) *Application of building code.*

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- (1) All signs shall be designed and constructed to conform to the provisions of the building code, as amended, in addition to the requirements of this article.
- (2) No sign shall be illuminated by other than electrical means. All electrical devices and wiring shall be installed in compliance with the electrical code, as amended. In no case shall any open spark or flame be used for display purposes. If all or any portion of an illuminated sign fails to function, said sign shall be repaired within 30 days.
- (3) No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation except that such signs may be erected in front of and may cover transom windows when not in violation of any provision of this Code.
- (f) *Relocation.* Any sign that is moved to another location either on the same or to other premises shall be considered a new sign under the provisions of this article and compliance with the procedures outlined in this article for new signs shall be followed.
- (g) *Alteration or reconstruction.* Any conforming sign which is altered or substantially reconstructed (to an extent greater than 50 percent of the sign's pre-existing fair market value) for any reason including partial destruction by fire, wind, or accident, shall be considered a new sign and be subject to the rules and procedures outlined in this article.
- (h) *Removal.*
  - (1) If the building inspector finds that a sign is maintained in violation of the provisions of this article and such sign is not a non-conforming sign, the building inspector shall give written notice by certified mail or personal service to the owner of the property. If such person fails to alter or remove the sign so as to comply with this section within ten days after such notice, the building inspector may issue a notice of violation or a citation requiring the property owner to appear in court.
  - (2) If such sign is not brought into conformance or removed within ten days of such person's conviction for violation of this article, the building inspector may cause such sign to be removed at the expense of the property owner.
  - (3) The building inspector may cause any sign which is an immediate peril to persons or property to be removed. These provisions are supplemental to other legal remedies available for the enforcement of this article.
  - (4) If the building inspector shall find that a sign constitutes an immediate peril to persons or property, such sign shall be removed forthwith, at the expense of the owner or person having the official use of the property where the sign is located.
  - (5) A violation of any of the sections or subsections of this article shall be punishable as provided in [section 1-7](#)

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-267. - Sign standards for permitted signs; insurance and liability for sandwich board signs.**

- (a) *Sign standards for permitted signs.*

Table 1  
Sign Standards for Permitted Signs

Type of Sign	Max.	Max. Size	Max.	Permit	Additional
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	Height	(per face)	Number	Required	Requirements
Awning/Canopy	Minimum 8ft. 6 in. to grade	a. 4 ft maximum projection for non-retractable awning/canopy signs  b. 18 in. max. projection from property line for non-retractable awning/canopy signs on Woodward  c. 8 ft. maximum projection for retractable awning/canopy sign from building line		yes	a. Back-lit awnings/canopies with or without signage are prohibited b. Retractable awnings/canopies must be retracted at the end of business daily c. Awning/canopy on Woodward with greater than 18" projection requires written MDOT approval
Banners spanning a Right of Way	—	300 sq. ft.		yes-from City Council	a. Must be removed as soon as torn or damaged and in any case within 7 days after the event or activity advertised is completed b. For banners not spanning a right of way, see Temporary Signs
Changeable Message (Electronic and Manual)	—	8 sq. ft.	1	yes	a. Area of changeable message shall be included as part of the maximum permitted size of any wall,

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					<p>window, ground, or other applicable sign</p> <p>b. Changeable message cannot change more than twice every 24 hours</p>
Construction	6 ft.	6 sq. ft.	1 per project	yes	<p>a. Erected during the construction period only</p> <p>b. Shall be removed within 14 days of the date a final approval for occupancy is issued</p>
Device	—	3 sq. ft.	1 per vending machine or container	no	
Directional	3 ft.	1 sq. ft.	2 per business	yes	a. Shall not be illuminated
Employment	—	6 sq. ft.	—	no	
Flags	30 ft. pole	—	3 flags	no	
Ground	42 in.	32 sq. ft.	1	yes	<p>a. Minimum 2 ft. from property line</p> <p>b. Shall not be placed between the sidewalk and the curb</p> <p>c. Shall not project over the public right-of-way</p> <p>d. Must meet visibility requirements of the Zoning Ordinance</p>
Garage Sale	6 ft.	6 sq. ft.	1 per	yes - from	a. Shall be erected no

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			premise	City Clerk	more than 10 business days before and removed within 1 business day after the announced sale
Government	—	—	—	no	
Incidental	—	2 sq. ft. (total of all)	—	no	
Integral		6 sq. ft. per face	—	no	
Marquee	Minimum 8ft. 6 in. above grade, limited to 1:1 ratio (height to width) not to exceed 8 ft high	—	1 per building	yes	a. Such sign shall not extend beyond the ends, above the top, or below the bottom of a marquee b. No part of a marquee sign shall project more than two (2) inches from any face of a marquee c. A marquee sign shall be constructed entirely of metal or other approved noncombustible materials
Menu Boards	—	32 sq. ft.	1 per business	yes	a. Shall not be designed or located so as to be read from the public right-of-way b. Speakers and illumination of such signs shall be directed away from residential uses
Murals	—	—	1 per building	yes	a. Murals determined to be advertising by the Building Inspector shall be considered a sign and

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					shall be included in the calculations of allowable sign area
Nameplate	—	24 sq. in.	1 per side of building	no	a. Shall be located near a secondary entrance or access point
Political/Expressive	—	6 sq. ft. total aggregate		no	a. Property must contain an occupied structure b. Shall not placed within the public street right-of-way line c. Shall be removed within 10 business days following the event for which they are erected, if applicable
Projecting or Blade	8 ft. 6 in.	3 sq. ft.	1 per business	yes	a. 24 in. max. projection
Real Estate	42 in.	6 sq. ft.	1 per parcel for each public street frontage	no	a. Prohibited in the public right-of-way b. Shall not be illuminated c. Shall be removed immediately when property is sold, rented, or leased
Real Estate Open House	—	6 sq. ft.	2 off-premise and 1 on-premise	no	a. Must be removed at the end of each day of the open house b. Prohibited in the public right-of-way
Sandwich Boards*	3 ft.	6 sq. ft.	1 per	Yes.	a. Sign shall only be

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(refer to <a href="#">Section 6-267</a> B)			business	Annual permit required beginning March 1. Refer to Insurance and Liability Section below.	placed in front of the business it references. b. Sign shall not be chained, cable locked or similarly attached to structures, poles, signs, bike racks, news racks, sidewalk café enclosures, etc. c. Sign shall be placed so as to maintain four-foot unobstructed clearance to any permanent object, sidewalk ramp, building or sidewalk café enclosure and shall not be placed within public street right-of-way line. d. Sign shall be removed if damaged, vandalized or when event advertised is no longer current.
Temporary		6 sq. ft.; 16 sq. ft. for banners not spanning rights-of-way		yes	a. 60-day maximum display, unless torn or damaged at which time the sign shall be removed immediately b. Shall not obstruct any door, window, fire escape, or ventilation opening
Traffic Control	—	—	—	no	
Wall	—	Shall not exceed 10% of wall surface excluding the calculated	1 per street frontage on each	yes	a. Any sign attached to the wall of a building shall be constructed of metal or other approved non-

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		area of windows and doorways or 40 sq. ft., whichever is smaller	parcel		<p>combustible material</p> <p>b. Wall signs shall not extend beyond the wall in any direction, except they may project from the wall to which they are mounted a maximum of 12 in.</p> <p>c. Any existing wall sign painted on the surface of a structure made illegal either by the prohibition against advertising signs on the wall of a building or structure or by the area provisions of this Section shall be removed or painted out with a color to match the rest of the wall to the extent necessary to reduce the sign area to 10% of the wall surface excluding the calculated area of doors and windows</p>
Window	—	20% of glass surface	—	no	<p>a. Window signs shall not be attached to or painted on the outside of any window</p> <p>b. Any temporary sign shall comply with the Temporary Sign regulations</p> <p>c. Window signs that are faded, yellowed, ripped, or otherwise damaged shall be removed</p>

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					immediately
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- (b) *Insurance and liability for sandwich board signs.* Any application for a sandwich board sign shall be accompanied by a current certificate of general liability coverage in an amount not less than \$1,000,000.00 for the period of the permit, naming the city as an additional insured and which shall indicate it shall not be cancelled or materially modify or coverage reduced without 30 days notice to the city. Additionally, every person who places or maintains a sandwich board sign on a public sidewalk or public right-of-way shall file a written statement with the city manager, in a form satisfactory to the city attorney, agreeing to indemnify and hold harmless the city, its officers and employees from any loss, liability or damage, including expenses and costs for bodily or personal injury, and for property damages sustained by any person as a result of the installation, use and/or maintenance of a sandwich board within the city.

(Ord. No. 1050, Pt. I, 6-23-08)

**Sec. 6-268. - Appeals.**

- (a) Any person aggrieved by any decision or order of the building inspector in connection with any dimensional or location provision of these regulations may appeal to the city plan commission within 30 days of the decision or order. Decisions of the plan commission may be appealed to city council.
- (b) The plan commission, by vote, may affirm, annul or modify the order or action of the building inspector. Any decision to grant a variance or annul the decision of the building inspector shall require a majority vote of its full membership, not just a majority of those present.
- (c) After reviewing a sign application to appeal an administrative decision or request a variance from these sign regulations, the plan commission shall either:
- (1) Approve the sign application as presented upon a finding, point by point, that all the criteria in are met.
  - (2) Approve the sign application appeal or variance subject to certain changes to sign dimensions or proposed location.
  - (3) Reject the sign application appeal or variance, in which case the applicant shall be provided with a written explanation of the reasons for such rejection.
- (d) Criteria for variance from the sign regulations. The plan commission may hear requests for variances from these regulations. A variance may be granted by the plan commission only in cases involving practical difficulties or unique conditions regarding the sign and/or its location. The burden of proof lies with the applicant. Requests for variances shall be reviewed for compliance with the following:
- (1) Variances may be granted for any one of the following conditions:
    - a. The applicant has demonstrated a variance is needed due to a practical difficulty on the site, such as varied topography, horizontal or vertical road curvature, or presence of structures or desired trees that limits visibility of a sign on the premises;
    - b. A variance is warranted due to the relatively large size of the site, frontage or building; or
    - c. A variance would significantly improve the conformity of an existing sign.

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- (2) To grant a variance for one of the conditions specified above, all of the following standards must also be met:
- a. The inability to conform with the regulations is due to a practical difficulty or unique condition that includes more than mere inconvenience or mere inability to attain a supposed higher financial return;
  - b. That the alleged practical difficulties or unique condition, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city;
  - c. That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by the regulations, the individual practical difficulties that will be suffered by a failure to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will not be contrary to the public purpose and general intent of these regulations;
  - d. The variance granted is the minimum necessary to allow the applicant to have a reasonable outlet for free speech and meet the intent of these sign regulations; and
  - e. The variance will not adversely affect the health, safety and welfare of the public.

(Ord. No. 1050, Pt. I, 6-23-08)

**Secs. 6-269—6-353. - Reserved.**

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FOOTNOTE(S):

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**Editor's note**— ord. No. 1050, Pt. I, adopted June 23, 2008, amended Article VIII in its entirety to read as herein set out. Formerly, Article VIII pertained to similar subject matter, and derived from ord. No. 1026, Pt. I, adopted april 23, 2007. ([Back](#))

**Cross reference**— Commercial, business, industrial buildings condition and use code, ch. 7¼. ([Back](#))